DCI Talking Points NSC re Central America 30 October 1984

We have had a stream of reports		25 X 1
reflecting the desire of Soviet, Cuban and Sandinista officials for		25 X 1
a Contadora agreement in order to take the pressure off the Sandin	nistas and	
to buy time to consolidate the regime in Nicaragua and that they a	ire ready	
to sacrifice the guerrillas in Salvador to achieve this end with a	-	
that they will return to Salvador later. I will quickly summarize		
these reports.	a rew or	
	the	25 X 1
Sandinistas have established a more attractive Marxist model for L	atin America	
than the Cuban one and are now turning to the Soviet Union for hel	p to reorganize	
the party. He said the forthcoming elections are mainly for show	and the	
Sandinista intention is ultimately to create a coherent ruling par	ty on	
Marxist-Leninist lines.		
		25X1
vital interest of Cuba in Central America	a is Nicaragua	25 X 1
and Castro is urging Salvadoran insurgents to abandon the struggle	in El	
Salvador in order to provide more men in Nicaragua to "fortify and	consolidate"	
the Nicaraguan revolution. He went on to say that it might take as	s long as	
5 to 10 years, but as long as the Nicaraguan revolution holds up th	•	
will serve as a base for ideological expansion in the area and the		
insurgency can be renewed once the Nicaraguan revolution consolidat		
		25X1
Nicaragua's offen to sign Contadora manuala i de la		20/(1
Nicaragua's offer to sign Contadora proposals is to eliminate the t	hreat	

posed by the Contras, who are winning support from the local population, and to bring the Nicaraguan government the same legitimacy externally as the November elections will give it internally.

Also, the Cubans	changes which are the work
of Mexico have given them a more positive view	of the Contadora negotiation.
The changes cited relate to military maneuvers,	military bases and removal
of military advisors which, they say, will "con	strain" the U.S. and Honduras
in "general geopolitical terms."	

said Cuba wants the Contadora treaty and would be willing to withdraw all of their advisors -- including the military -- from Nicaragua if it were necessary for resolution of the conflict. He stressed the need for the United States to be a party to the revised Contadora document, and requested more active participation from Argentina in solving the regional crisis. The Argentine delegation said that it would be "either a step behind or a step ahead" of the Contadora group.

On the November 4th election, besides the Sandinista party, it will be contested only by three leftist parties with a combined total of about a thousand members and two even smaller democratically-oriented parties with a combined membership of some 400. The coalition of four center-right parties and the Independent Liberal Party of the Majority Conservative Democrats, with a combined membership of about 15,000, is boycotting the election.

The Sandinistas have been showing concern about voters not going to the polls; however, we think the regime's coercive tactics and general fear of retaliation will produce an acceptable turnout.

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We expect the regime will use whatever fraudulent tactics necessary to get the desired results, but it is doubtful we will be able to document cheating in ways that provide persuasive evidence to the international community. Our experts think the Sandinistas can report any count they believe desirable and believe they would want to come away with about 75-80 percent of the votes cast in order to give the vote some credibility. The Sandinista Defense Committees have begun spreading the word that they will be able to determine how people voted by fingerprinting them and that ration coupons will be denied to those without valid voter identification cards -- all of this to achieve fewer abstention and opposition ballots.

As for the situation on the ground, the Contras have increased their
strength from a little over 9,000 to a little over 12,000 since
the end of May. They made substantial
purchases of ammunition and have been able to sustain themselves with
food. In recent weeks they have engaged in several major guerrilla attacks
and are getting increasing support from the civilian population. Recently
the Contras attacked the city of Esteli in the north to demonstrate their
continued strength. This forced the Sandinistas to deploy aircraft, tanks,
and artillery defense. indicate the Sandinistas suffered
heavy losses. The insurgents may not take or hold down the town, but they have
shown they remain a major force to be reckoned with on the eve of the election.

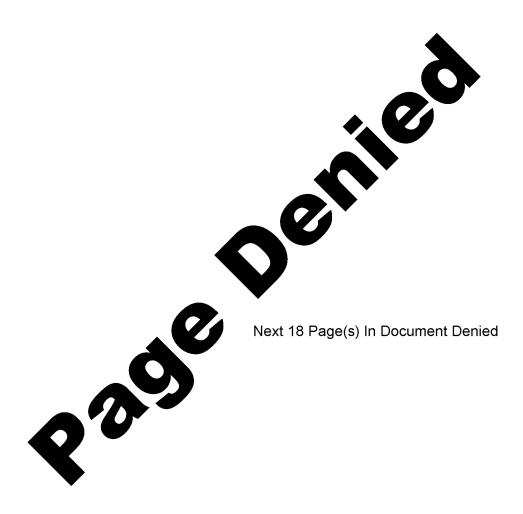
If the private funding they are getting continues they should be able to maintain pressure on the Sandinista government for an indefinite period. However, a Contadora treaty requiring Costa Rica, Honduras and Salvador to discontinue support would cut them off from secure bases. If Nicaragua did discontinue support to the guerrillas in Salvador, we think it likely that

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continued Cuban supply through Belize and Guatemala would enable the Salvadoran guerrillas to maintain their base structure and carry out political and urban guerrilla operations in Salvadoran cities.



Central Intelligence Agency



28 August 1984

MEMORANDUM

SUBJECT: Central American Negotiations

OVERVIEW

The environment surrounding the various multilateral and bilateral negotiations in Central America appears conducive to at least some movement toward partial settlements and bilateral agreements. The Sandinistas will try to play this to their advantage to reach accords on security matters while avoiding a binding regional pact that would include agreements on arms control and democratic practices.

The Contadora countries--Mexico, Venezuela, Colombia, and Panama--appear increasingly concerned that US military involvement in Central America will escalate in the months ahead and are pressing the Central Americans for a settlement soon.

- -- In their rush for an agreement, the Contadora countries are increasingly likely to push for a partial settlement.
- -- Nicaragua could add to such pressures by making some new concessions and endorsing many of the Contadora July proposals.

Other negotiations that are now under way could introduce further complications for the Contadora talks and US regional interests.

- -- Nicaragua probably is pushing for a border agreement with Costa Rica in the French-sponsored talks, and San Jose may be receptive.
- -- The European foreign ministers are likely to at least implicitly endorse even partial settlements such as those contained in a Contadora draft treaty.

The US-Nicaragua talks are not presently having a major impact on the Core Four governments of El Salvador, Guatemala, Honduras, and Costa Rica, but the initiation of these bilateral

talks probably led the Central Americans to perceive themselves freer to explore bilateral agreements with Managua.

Despite the various pressures for quick agreement and partial settlements, the contending parties remain far apart on the most sensitive issues. A comprehensive regional accord seems unlikely before the end of the year and the various exploratory bilateral talks could deadend as a result of a variety of incidents. Nonetheless, neither the Contadora nations nor the Central Americans can abandon regional talks without incurring unacceptable political costs. The next several months will likely see all sides advancing a series of counterproposals.

The Contadora Perspective

The four Contadora mediators—Mexico, Venezuela, Colombia, and Panama—have attempted to accelerate the pace of negotiations since Julv when they formulated a draft agreement. The Contadora countries seem to be tiring of the negotiating process, and probably are acutely aware that their prestige is tied to obtaining results. The mediators probably are also motivated by a fear that US military involvement in the region will escalate in the months ahead.

The Contadora group has attempted to pressure the Central Americans by portraving this week's meeting in Panama of the nine vice foreign ministers as a "last phase of refinement and perfection" of a draft agreement. They probably intend to issue a revised draft after the meeting. According to US Embassy reporting, the Core Four believes, however, that the draft contains serious defects and that the mediators are protecting the Sandinistas from direct negotiations on the most sensitive political and military issues.

In their rush to achieve a settlement, all of the Contadora sponsors seem willing to support a treaty that falls well short of addressing concerns of the United States and pro-US governments in the region. For example, the present draft already suggests that negotiations on arms control be deferred to a later stage. If the Contadora group fails to obtain a Central American agreement soon, it may increasingly resort to proposals for a partial settlement.

Mexico has been Nicaragua's firmest supporter within the Contadora group, and it is likely to continue in that role

despite some recent signs of a Mexican policy shift toward more evenhandedness. We believe President de la Madrid remains sympathetic to the revolutionary aspirations of the Sandinistas and will defend their interests in the negotiations even while privately counseling Managua to be somewhat more flexible.

Although Venezuela and Colombia over time have served as counterweights to Mexico's pro-Sandinista tilt within the Contadora group, both countries now seem committed to rapidly finalizing a peace treaty. The Contadora process is a keystone of Colombia's foreign policy, and a role in producing a regional peace treaty would solidify President Betancur's coveted image as the hemisphere's foremost peace broker. Venezuela's Lusinchi

probably reasons that by making a concerted push, his administration can escape blame if the process collapses. Lusinchi reiterated to the US Ambassador in early August his distrust for Sandinista electoral promises, but we doubt that the Venezuelans would risk isolation within the Contadora group by, for example, trying to toughen the sections of the draft treaty that deal with internal democratization.

Panama has had a minor role in the Contadora group, and its perspective has generally been favorable to Nicaragua. The Panamanians are trying to protect their nonaligned credentials while defusing possible domestic criticism from the left. They are unlikely to become more sympathetic to Core Four concerns even after President-elect Barletta takes office in October.

Core Four Position

The Core Four have not strongly stated their problems with the Contadora draft publicly for fear of being perceived as obstacles to an agreement. Nevertheless, despite slightly differing emphases, Honduras, El Salvador, and Costa Rica agree that:

- -- The proposed agreement is too weak on democratization and verification issues.
- -- Any agreement should be adopted as a formal treaty.
- -- A partial agreement, particularly one that postpones an arms control accord, is to be opposed.

Honduras and El Salvador are likely to lead opposition to

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Contadora proposals for an immediate withdrawal of foreign military advisers.

While the US regional allies agree on most points, they are not completely unified and have had difficulties in coordinating their positions in the past. Guatemala has preferred to sit on the sidelines, and did not take part in formulating a counter proposal to the Contadora draft agreement last fall. In addition, the US Embassy believes that El Salvador may not be as willing as other countries to accept arms control proposals, and Honduran-Salvadoran rivalries may cause some problems when detailed negotiations are begun on an acceptable military balance.

Nicaraqua's Views

The Sandinistas probably have few hopes that regional negotiations can resolve their problems with their neighbors at an acceptable cost. They have reacted coolly to the Contadora draft agreement, but reportedly are considering granting some concessions.

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Contadora draft provisions on democracy are not particularly onerous--except for the provision for dialogue with the insurgents--and the Sandinistas will be more likely to accept them once their election is safely behind them. The Sandinistas probably will pursue the tactic of pushing for immediate agreements in areas where there is consensus--such as ending aid to insurgent groups--while deferring difficult issues for later.

Parallel Negotiations

Three sets of other negotiations--Costa Rica-Nicaraqua and US-Nicaraqua bilateral talks, and the 28-29 September meeting of EEC foreign ministers in San Jose--have been billed as complementary to the Contadora talks. Each of these can introduce additional complications for Contadora and US regional interests.

Costa Rica-Nicaragua Border Talks. Costa Rican and Nicaraguan representatives met in Paris in mid-July to discuss a French-proposed demilitarized zone along their border. The Costa Ricans have told US officials that they do not expect an agreement to be reached. Nevertheless, recent Costa Rican

efforts to rebuild ties to Europe to counter the impression that San Jose is under excessive US influence indicate that President Monge may be willing to reach a settlement outside of the regional talks. Such a bilateral accord would disrupt Core Four unity and accelerate pressures on the Hondurans to conclude a similar agreement separate from the regional negotiations. Nicaragua has renewed its call for joint border patrols with Honduras, pointing to the Costa Rican example.

The Costa Ricans have told US officials that the Sandinistas appeared disinterested at the Paris talks, which we doubt. It would serve Nicaraguan interests to press for an agreement before the September EEC meeting to prove that Managua can be reasonable.

US-Nicaragua Talks. President Lusinchi, speaking for the Contadora group, told the US Embassy in July that the mediators believe the bilateral talks will strengthen regional negotiations. The Core Four governments have registered their acceptance of US reassurances that the talks will not undermine their positions at Contadora, but there are lingering doubts. These concerns have thus far not appeared to have induced the Central Americans to compromise for fear of being betrayed. Nevertheless, we believe that chances for a preemptive bilateral accomodation with the Sandinistas--especially by San Jose--have been increased somewhat since the US-Nicaragua talks began.

Nicaragua has consistently maintained that direct negotiations with the United States are necessary, and it may play for time in the regional forum to see what it can obtain in the bilateral talks. The Sandinistas have already attempted to exploit the negotiations to induce Honduras to begin bilateral talks with them. According to Honduran officials, Managua has attempted to incite fears that agreements of direct concern to Honduras would be concluded with the US without benefit of Honduran participation.

EEC Foreign Ministers Meeting. The meeting will concentrate on outlining future European economic assistance to the region, which will include Nicaragua. The Europeans are likely to take a stand which supports the Contadora process, and thus indirectly endorses the latest Contadora draft. Similarly, the EEC probably will register approval of the provision in the draft which allows outside states to signify formally their cooperation and support.

The joint communique probably will reaffirm in general terms

the need to establish democratic conditions and strictly observe human rights. Some of the ministers, however, might use individual meetings with the Sandinistas to pressure them to open up their electoral process.

Outlook

Despite the likelihood of continuing Contadora pressures for an agreement, the parties remain far apart and are unlikely to reach a comprehensive regional accord before the end of the year. The Contadora mediators probably will attempt to maintain control of the process by introducing new proposals to bridge the gap between Nicaragua and the Core Four. Their intercession may result in proposals to sign a partial agreement in areas where there is now consensus, and pressures may accelerate to conclude bilateral border settlements.

MEMORANDUM

: FOR THE RECORD

SUBJECT

: An Assessment of the FDN

a. STRENGTH:

When the U.S. Government ceased funding on 31 May 1984, FDN strength totaled 9,193 men of whom 8,388 were inside Nicaragua. Since that time there has been a significant increase of personnel joining the movement with the last report (13 Oct) indicating a total strength of 12,175 men, an increase of 2,982, of which 10,515 are currently inside Nicaragua.

b. AMMUNITION:

As of 1 September adequate small arms ammunition was on hand with battle field recovery accounting for the majority of 7.62x39 f/u/w AK-47 rifle. The FDN leadership had made a purchase of 1,000,000 rounds of 7.62x51 f/u/w FAL rifle, with 500,000 rounds delivered immediately and the remaining 500,000 rounds to be delivered late September. There is a severe shortage of supporting arms ammunition, i.e., 40mm f/u/w M-79, 40mm f/u/w RPG-7, hand grenades, light machine gun ammunition and 60mm mortar rounds. The FDN leadership was attempting to obtain this type ammo from several sources with little success.

c. FOOD:

Food appears not to be a major problem. With the support of private funds the FDN has been able to sustain the combat units for approximately one half the cost it did when funds were available. While the variety is not there, however, it is sufficient to sustain the fighting man.

d. FDN AIR FORCE:

One C-47, currently inoperable, three 0-2 Push/Pull, one Baron and one Cessna 402 make up the FDN air wing. Another C-47 was purchased from year end funds but is yet to be delivered. Adequate fuel is on hand in sufficient quantities to keep all aircraft flying. Spare parts, and the ability to obtain these parts, are the biggest problems for the FDN Air Arm Commander.

e. MEDICAL:

There are currently two field hospitals in operation. The largest and most complete is in the forward command post at Las Vegas with a small, yet quite complete unit, located at the Aguacate Air Base. Qualified surgeons are on hand to perform even the most delicate operations.

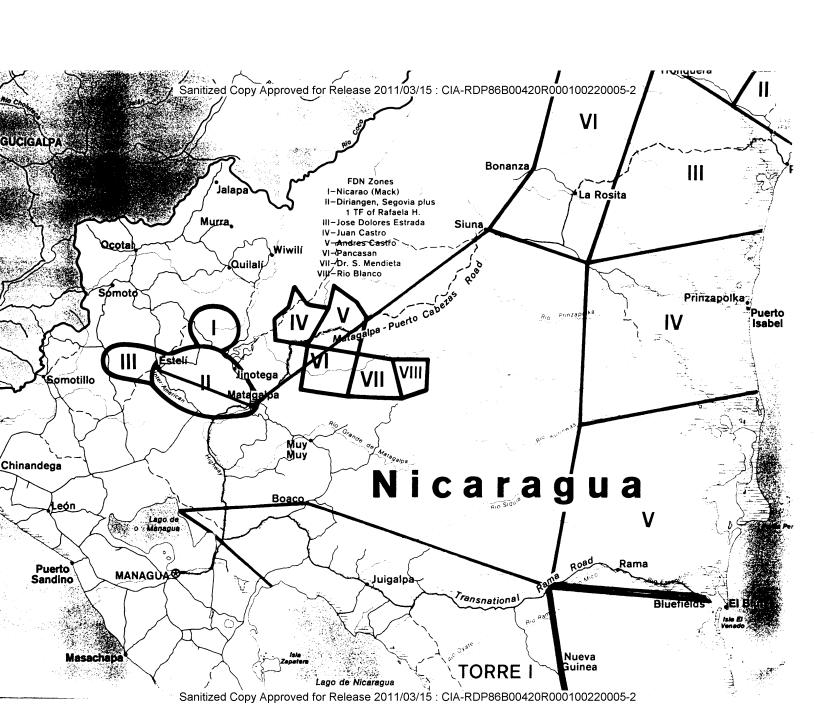
f. OPERATIONS:

The FDN has been engaged in several major guerrilla type activities in the past weeks including an increase in actions against battalion sized units. They are ambushing trucks and personnel and if the vehicles are filled with other than war materials it is distributed among the local populace. All captured war materials are used to resupply the FDN soldier. They are now controlling the roads for longer periods of time (five hours). They have done an excellent job in winning the civilian population to their side in the areas of operation. They pay for all services and goods received from the population and are operational on an east/west line from Esteli south to Matagalpa and east to Siuna, with units within ten kilometers of Jinotega (map attached).

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FDN should be able to sustain current actions and maintain pressures on the Sandinista Government for an indefinite period.



SUBJECT:

State Paper for the NSC Meeting of October 30, 1984

Per Bob Kimmitt's instructions to us last Friday, the memorandum for the President on Tuesday's NSC meeting was prepared without the State paper, which was arriving late. The State paper arrived on Saturday, October 27, and was circulated to the NSC participants (Tab I).

In advance of the meeting, we would like to provide you with our comments on the State paper:

- (1) It is missing the key elements requested in the NSC tasker (Tab II): State's judgment about what our opponents and friends intend to do in the next weeks leading to the meeting of all nine Contadora/Core Four Foreign Ministers at the CAS General Assembly in Brasilia on November 17-19 and what our strategy will be to obtain an acceptable treaty. The paper tells us that Secretary Shultz will discuss this at the NSC; but our reason for requesting State views, in advance, was to permit you, DOD, CIA, and other members of the foreign policy cabinet to reflect on the views of State.
- (2) The paper sharply overstates the substantive progress by the Core Four in their October 20 submission to the Contadora Four. Contrary to the views of State (and using summary of the Core Four comments at Tab III), we believe the Core Four have failed to suggest effective improvements to assure:
 - simultaneously, that all aspects of the treaty will be implemented only when the OAS (or some competent group) certifies that Nicaragua has held genuinely democratic elections.
 - that there will be an effective verification system for both the political and the security aspects; the Core Four changes do not accomplish this and, in fact, might confuse the matter.

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This is the current Core Four proposal according to Ray Burghardt:

- -- membership of security and verification commission for both political and military issues would be: Central American five plus four non-Contadora.
- -- no clear statement of how the four non-Contadora countries would be chosen, leaving the door open for European participation.
- -- positive move--change in requirement for unanimous Central American five agreement to one in which "consensus" would be sufficient (however, this is ambiguous and does not clearly mean a majority vote).
- if no consensus, disputes to be jointly considered by the five Central American and four Contadora ministers. This is a major problem, as we have already seen, with the two unacceptable draft treaties. Clearly, unless there is a new realism among Venezuela, Fanama, and Colombia, the effect of this is to give the Contadora Four plus Nicaragua a working majority in this appeals mechanism.
- -- the last step is remedies to be suggested by the OAS or the UN. We know who would win in the UN; and with a five to four (at best) split before the OAS, it is guite possible that Nicaragua would also win more than it will lose in the OAS under this system.

(Note: we already have with the Costa Rica/Nicaragua Border Commission, since May 1984, an example of a Contadora Four verification group working to reach conclusions opposed to Costa Rica--not Nicaragua.)

(3) The State paper offers no comment whatsoever on US actions to persuade Venezuela, Panama, Colombia—the actual writers of the third draft treaty—to move away from past Mexican dominance and write an acceptable treaty. We need a strategy of persuasion and incentive (e.g., help with financing, increased oil purchases for the Strategic Petroleum Reserve for Venezuela, financial assistance for Panama, etc.) to finally obtain a pro-democratic treaty draft. Venezuela, Panama and Colombia should do their own draft and simply outvote Mexico (and we should provide whatever technical help is needed).

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(4) State's paper fails to provide their assessment of what has been accomplished by the US-Nicaraguan talks. Originally justified as an attempt to obtain congressional backing for the democratic resistance program, it is clear that the talks were not successful in that regard. Reoriented then to present the Core Four position vis-a-vis the Contadora treaty to the Sandinistas, the talks have not yielded any evidence that the Sandinistas are more inclined to take seriously the concerns of their Central American neighbors. Indeed, the Sandinistas refused to participate in the recent meeting of the Central American countries to discuss the Acta. Nor have the talks dampened Mexico's activism on behalf of the Sandinistas--Mexican negative behavior with the EEC, in the OAS and in the UN represents their pro-Nicaraguan policy. We believe the paper also distorts Honduran acquiescence about the Manzanillo talks. Since June, we have seen the Honduran reassessment of its bilateral relationship with the United States and the unraveling of the RMTC as direct results of their insecurity about US resolve (although the loss of funding for the Nicaraguan resistance played a role as well).

In summary, right now there is a real possibility that the Contadora four will produce a third draft which, while better than the first two, will still fail to be an acceptable treaty (with democratization of Nicaragua and real verification) and that there will be another major push by Cuba, Nicaragua, Mexico, the other Contadora countries, various other Latins (such as Argentina) to have the Core Four agree to this unacceptable draft treaty at the November 17-19 OAS meeting in Brazil. We do not believe there is much chance of obtaining a Contadora treaty which implements the President's policy directives (and the original Contadora 21 objectives) unless there is a coherent, active US role which must begin at once and which needs to include tangible incentives which we can actually deliver to the Contadora three (Venezuela, Panama, Colombia).

State's paper references cables, memoranda, etc., which we will gather for you in a separate memo.

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13 August 1984

RESPONSE TO SSCI QUESTIONS ON NICARAGUAN ELECTIONS

QUESTION 1: Please describe the ground rules under which the Sandinistas currently plan to conduct the November 1984 Nicaraguan elections?

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ANSWER: The ground rules for the election have been liberalized since the Sandinistas introduced a draft electoral law early this year. The Council of State approved a law in March, but the continued dissatisfaction of all non-Sandinista parties led the regime to enact amendments in early July. The revisions still fail to meet opposition criteria for a fair contest.

The Sandinistas have manipulated relaxation of the state of emergency, which all political parties have demanded in order to permit electoral activities. Sandinista statements first indicated that they would end the emergency on 19 July but the regime announced that it would continue in modified form until 20 October. The main opposition parties denounced

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as political blackmail a subsequent Sandinista offer to end the emergency decree entirely if all the parties would sign a letter to President Reagan condemning US support to the insurgents.

On 6 August the government announced that several more emergency restrictions would be lifted, attributing the move to the massive response of the Nicaraquan people to voter registration.

indicates that the announcement was intended to satisfy the complaints of those parties that had registered candidates as well as to embarrass the bovcotting opposition.

presidential elections, saying that this violated an understanding shared by all political sectors in 1979, and that the electoral assembly should have the prerogative of choosing the form of government. The Sandinistas said that running two campaigns would be too costly, and simply changed the 1979 fundamental statute.

Bodies Governing the Election: The Supreme Electoral Council is charged with carrying out provisions of the electoral law, and the Supreme Court appointed three Sandinistas to the body. Two members will be added as a result of the July amendments to the law. The Sandinistas have allowed the

opposition to have 3 of the 8 seats on the National Council of Political Parties, which will oversee party activities and has authority to suspend them. Inspectors from the individual parties are permitted at local ballot receiving boards.

. .

Candidate Registration: The electoral law set 25 July as the deadline, and the amended law allowed parties to form coalitions until 4 August. On that day, the Supreme Electoral Council permitted a 24-hour extension for registering coalitions and candidates. On 9 August, the government announced that opposition candidates could have seven more days to register. A party that has not registered loses its legal status, and therefore is not permitted to conduct party activities or to enjoy press freedom.

Campaign Period: The 13-week electoral campaign commenced on 1 August. The regime's original proposal for a 1-3 month campaign met stiff opposition from even its own allies, who demanded at least six months, but the regime made only a nominal concession. The short campaign is a handicap for non-Sandinista parties because they have not been free to organize for over two years.

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Political Freedom: The 19 July modification of the state of emergency permits unimpeded travel in the country and freedom for participating parties to hold public meetings. In addition, the 6 August decree restores habeas corpus and the right to strike. Despite these changes, indicate that the Sandinistas have harassed both the main opposition parties and the minor parties participating in the campaign. Two of the small democratic opposition parties in the race have privately they would drop out without more liberalization, and the other has publicly threatened to withdraw if harrassment continues. The boycotting parties believe that the Sandinista party and mass organizations must divest themselves of quasi-official functions if there is to be true electoral freedom.

agreed to permit registered political parties to share a total of 30 minutes daily on state-owned television and 45 minutes on state-controlled radio. Parties are penalized for forming coalitions, for they lose their individual shares. Private radio stations may sell no more than 30 minutes daily to the parties. The Sandinistas will be able to continue their practice of inundating television and radio programs with propaganda disguised as news broadcasts and documentaries.

Censorship: The government said on 19 July that it would permit freedom of expression for parties participating in the elections, but all information affecting national security would remain subject to censorship. On August 6, the junta canceled a law which had prohibited publication of information on scarcities of consumer products or which could in any way affect the country's economic stability. government censored articles about the opposition after opposition parties lost legal status, but La Prensa stories on political topics were censored even before the expiration 25X1 of the 25 July candidate registration deadline. two of the few remaining independent 25X1 radio stations received letters from the Ministry of Interior on 25 July warning that programs must be submitted to the 25X1 sav Manaqua censors 24 hours before air time.

Amnesty: The Sandinistas have periodically renewed the amnesty for insurgents which they first announced in December.

Insurgent leaders are excluded from the amnesty, however, and the Sandinistas recently have tried them in absentia. The main opposition has made "national dialogue" a key demand,

broadcasts of his Sunday Mass.

Archbishop Obando v Bravo was denied permission to renew live

and on 9 August modified its position to exclude the insurgent representatives in the first stages of talks.

Campaign Financing: The amended electoral law provides that the state will award each party or alliance up to 9 million cordobas* for the campaign--2.5 million cordobas for presidential candidates and 75,000 cordobas for each assembly candidate. Parties lose individual shares if they form an alliance. Parties may receive financial assistance from abroad, but must inform the Central Bank.

proportional Representation Formula: After all opposition groups objected, the Sandinistas dropped a complicated formula that favored them for awarding leftover assembly seats that are not won outright. The US Embassy estimates that the revised method allows a party to win a seat by obtaining just over one percent of the national vote. A party is required to win one seat in the assembly to retain legal status.

International Supervision: The Sandinistas plan to invite international observers to the elections, but they have emphatically rejected international supervision.

^{*} At the official exchange rate of 10:1, this translates into \$900,000 for the campaign. Nevertheless, this exchange rate is unrealistic, and at the roughly 200:1 black market rate government expenditure comes to \$45,000.

QUESTION 2: What is the CIA's assessment of Sandinista plans for the November 1984 Nicaraguan elections?

The Sandinistas view the election chiefly as a tactic to ANSWER: consolidate their revolution, and are not committed to true pluralism. A recent press report of a statement by Sandinista leader Bayardo Arce to local Communists indicates that the regime felt it was obliged to call elections only because of international pressure. Although Junta Coordinator Daniel Ortega claims that Arce's statement does not represent official policy, it is consistent with the report of the discussion on elections by the National Directorate at the Sandinista Assembly last January, in which party leaders were reassured that the election would not interfere with the strategic advance of the revolution. Other reports indicate that the Sandinistas hope that acceptance of the election will help Nicaragua to obtain Western economic aid, to mount pressure on the US to stop assisting the insurgents, and to allow the Sandinistas to claim a popular mandate for their plans to establish an authoritarian socialist state.

The Sandinistas realize that the elections must be viewed as credible by the outside world if they are to

achieve their objectives. Nevertheless, they probably feared that the opposition could be able to exploit popular dissatisfaction with the regime if they opened up the political process. To resolve their electoral dilemma, the Sandinistas adopted the appearance of flexibility by making small improvements in the electoral ground rules, but continue to deny their opponents any chance of mounting an effective challenge. The opposition boycott undercuts Sandinista plans to legitimize the regime, but the government will respond by attempting to discredit opposition leaders as US pawns.

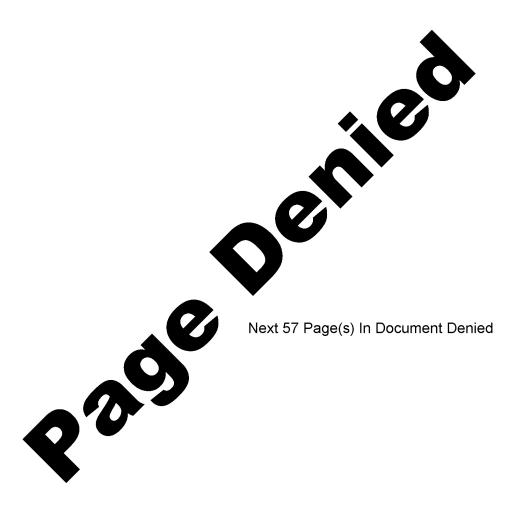
The six small parties that are participating in the election present no threat to the Sandinistas, and the regime therefore may permit substantial freedom for the campaign and not resort to fraud at the polls. Nevertheless

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says that the Sandinistas told party

members in April that they intended to use government facilities to further the government's campaign. government's harassment of two participating parties in the first week of the campaign indicates that it will not allow free competition to get out of hand.



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TO RUEHCV/AMEMBASSY CARACAS NIACT IMMEDIATE 8025
ZEN/AMEMBASSY BOGOTA NIACT IMMEDIATE 7260
ZEN/AMEMBASSY PANAMA NIACT IMMEDIATE 7620
ZEN/AMEMBASSY MEXICO NIACT IMMEDIATE 4045
INFO ZEN/AMEMBASSY SAN JOSE IMMEDIATE 1082
ZEN/AMEMBASSY TEGUCIGALPA IMMEDIATE 2699
ZEN/AMEMBASSY MANAGUA IMMEDIATE 1608
ZEN/AMEMBASSY GUATEMALA IMMEDIATE 0166

ZEN/AMEMBASSY SAN SALVADOR IMMEDIATE 0191

EXDIS, FOR CHIEF OF MISSION FROM ASSISTANT SECRETARY MOTLEY

C O R R E C T E D C O P Y (ADDING ACTION ADDEE)
E.O. 12356: DECL: OADR
TAGS: PREL, XK, US
SUBJECT: LETTER FROM THE PRESIDENT TO HEADS OF STATE
OF CONTADORA GROUP

1. S - ENTIRE TEXT.

S E C R E T STATE 287200

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- 2. FOLLOWING IS TEXT OF LETTER FROM PRESIDENT REAGAN WHICH ACTION ADDRESSES ARE REQUESTED TO DELIVER TO THE HEAD OF STATE ASAP. TEXT SHOULD BE STAMPED QUOTE SECRET UNQUOTE AND RECIPIENT REQUESTED TO HONOR CLASSIFICATION. NO REPEAT NO SIGNED ORIGINAL TO FOLLOW.
- 3. BEGIN TEXT DEAR MR. PRESIDENT:

STATE

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PAGE 002 TOR: 270926Z SEP 84

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DURING THE PAST TWENTY MONTHS MY GOVERNMENT HAS FOLLOWED WITH GREAT INTEREST THE EFFORTS OF YOUR GOVERNMENT AND OTHER MEMBERS OF THE CONTADORA GROUP TO PROMOTE A DIPLOMATIC SETTLEMENT TO THE PROBLEMS OF CENTRAL AMERICA. IN RESPONSE TO A PROPOSAL OF THE CONTADORA GROUP, MY GOVERNMENT HAS CARRIED OUT A SERIES OF MEETINGS WITH REPRESENTATIVES OF THE GOVERNMENT OF NICARAGUA DESIGNED TO SUPPLEMENT AND SUPPORT THE CONTADORA PROCESS.

I AM GRATEFUL THAT THE CONTADORA GROUP HAS PROVIDED US WITH A COPY OF THE REVISED DRAFT TREATY (THE ACTA) WHICH YOUR GOVERNMENTS PROVIDED TO THE CENTRAL AMERICAN COUNTRIES ON SEPTEMBER 7, 1984. WE HAVE STUDIED THE DRAFT TREATY CAREFULLY. WE BELIEVE IT MARKS SUBSTANTIAL PROGRESS IN YOUR EFFORTS TO ACHIEVE A PEACEFUL SETTLEMENT IN CENTRAL AMERICA, ESPECIALLY THE BINDING LEGAL COMMITMENTS TO GENUINE DEMOCRATIZATION WITHIN EVERY CENTRAL AMERICAN COUNTRY, INCLUDING NICARAGUA.

IN MY GOVERNMENT'S REVIEW OF THE DRAFT TREATY, HOWEVER, WE HAVE IDENTIFIED TWO AREAS WHERE WE BELIEVE FURTHER REFINEMENTS ARE NECESSARY IF THE DOCUMENT IS TO ADVANCE THE COURSE OF PEACE IN THE REGION: (1) THAT ALL MEASURES TO COMPLY WITH THE TREATY SHOULD COMMENCE SIMULTANEOUSLY, UPON RATIFICATION, RATHER THAN SOME MEASURES COMMENCING UPON SIGNATURE, AS WOULD NOW BE CONTEMPLATED; (2) THAT THE TREATY STIPULATE THAT EFFECTIVE VERIFICATION AND CONTROL MECHANISMS BE ESTABLISHED PRIOR TO SIGNATURE, WITH ALL THE NECESSARY MANPOWER AND EQUIPMENT PROVIDED.

I BELIEVE THAT THESE MODIFICATIONS WILL HELP TO ENSURE THE GENUINE SUCCESS OF THE CONTADORA GROUP'S EFFORTS. IF SOME MEASURES ARE IMPLEMENTED PRIOR TO RATIFICATION, THERE IS A REAL DANGER THAT SOME PARTIES TO THE TREATY, SEEING THAT THEIR CONCERNS HAVE ALREADY BEEN MET, WOULD LACK THE NECESSARY INCENTIVE TO REACH AGREEMENT ON THE ISSUES THAT REMAIN PENDING. OPEN AND DEMOCRATIC GOVERNMENTS RESPECT A PEACE TREATY WHEN IT IS SIGNED, EVEN IF VERIFICATION MECHANISMS ARE NOT IN PLACE; SIMILAR CONSTRAINTS DO NOT APPLY IN THE CASE OF CLOSED, COMMUNIST

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REGIMES.

FOR THE ABOVE REASONS, I ENCOURAGE YOU TO CONTINUE TO EXERCISE THE GOOD OFFICES ROLE OF THE CONTADORA GROUP TO PROMOTE AGREEMENT AMONG THE FIVE CENTRAL AMERICAN COUNTRIES ON A PEACE SETTLEMENT. THE CONTADORA PROCESS HAS MADE IMPRESSIVE GAINS IN THE FACE OF EXTRAORDINARY OBSTACLES. THE DRAFT TREATY REPRESENTS A MAJOR ACHIEVEMENT. I AM CONFIDENT THAT NORKING TOGETHER THE GOVERNMENTS OF THE CONTADORA GROUP AND CENTRAL AMERICA CAN FURTHER IMPROVE THIS DOCUMENT SO THAT IT CAN FORM THE BASIS FOR A LASTING PEACE IN CENTRAL AMERICA.

I ASSURE YOU THAT MY GOVERNMENT WILL CONTINUE TO PROVIDE ALL THE SUPPORT WE CAN TO PROMOTE AGREEMENT AMONG THE CENTRAL AMERICAN COUNTRIES TO ACHIEVE THIS OBJECTIVE.

SINCERELY, RONALD REAGAN. END TEXT.

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YOU WILL COUCH YOUR ENDORSEMENTS OF THE CONTADORA PROCESS IN TERMS OF SUPPORT FOR A COMPREHENSIVE IMPLEMENTATION OF THE DOCUMENT OF OBJECTIVES AND FOCUS ON THE NEED FOR HONEST AND ICPEN ELECTIONS IN INTCARAGUA. DAN

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DCI Talking Points on Nicaraguan Elections

30 October 1984

Elections for Nicaragua's President, Vice President, and a 90-member assembly will take place as scheduled on 4 November, and despite the Sandinistas' expected victory, they will not gain the legitimacy they are seeking. Participating to date are:

- -- The ruling Sandinista National Liberation Front;
- -- Three small radical leftist parties--the Communist Party of Nicaragua, the Popular Action Movement/Marxist-Leninist, and the Nicaraguan Socialist Party, with a combined total of some 1,000 members.
- -- Two democratically-oriented parties--the Popular Social Christian Party and a minority faction of the Conservative Democratic Party, with a combined total of less than 400 members.

Boycotting the contest are:

-- The National Democratic Coordinator -- a coalition of four centerright parties, two independent labor unions, and business groups -the Independent Liberal Party, and the majority faction of the Conservative Democrats; absent labor, a combined party membership of approximately 15,000.

We expect the regime will use whatever fraudulent procedures are necessary to obtain the desired results.

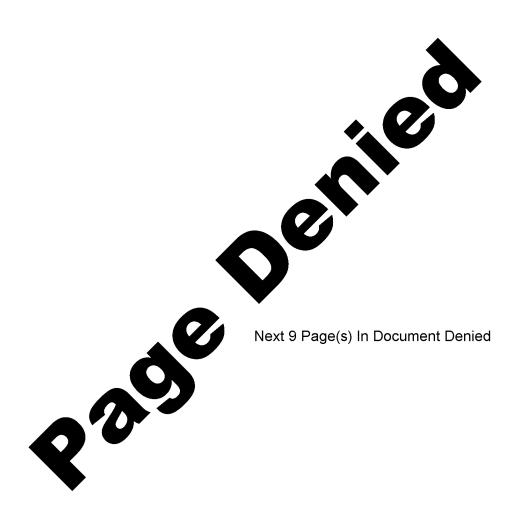
-- It is doubtful that we will be able to document the cheating in ways that will provide persuasive evidence to the international community.

According to press reports, some 400 foreign observers will monitor the elections. Their verdicts, however, probably will depend more on their ideological predispositions than on the facts.

- -- The Netherlands is the only West European country thus far to send official observers, although several will be represented "unofficially" by their resident ambassadors.
- -- The Socialist International, European Christian Democratic Union, and European Parliament will send representatives.
- -- We believe all the Contadora countries and the Central American Core Four will decline to send observers--Mexico, Venezuela, and Costa Rica already have.

Recent Sandinista statements indicate concern about voter abstention. Nevertheless, we believe the regime's coercive tactics and general fear of retaliation--either overt or subtle--probably will induce an acceptable turnout.

Sanitized Copy Approved for Release 2011/03/15 : CIA-RDP86B00420R000100220005-2 Sandinistas, to come SECRET of the votes con 25X1 -- The regime envisions gaining a strong majority of the votes cast and hopes at least 80 percent of the 1.6 million reportedly registered will go to the polls. a scare campaign by 25X1-- According the regime to the effect that the Sandinistas will be able to determine how people voted by fingerprinting them coupled with threats to deny ration coupons to those without validated voter identification cards will lead to fewer abstentions and opposition ballots. We have that reporting started on the sending started on the sending the sending that the sending the



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NIO/LA 29 October 1984

NSC Talking Points

SUBJECT: Comments on State's Draft NSC Paper

- 1. A copy of State's initial draft paper for the 30 October NSC meeting is attached (A). Following are brief comments on the major sections:
 - a. US-Nicaragua Bilateral Talks. State takes the position that Honduras is no longer concerned that the talks have undercut the Contadora process, but now believes the talks strengthen the Core Four position. I fail to see how State can justify this analysis, and in fact they provide no substantiation. My own view is that the bilateral talks are going nowhere, and that there is little use in continuing them after 4 November when the Sandinista elections are over. State probably will argue, however, that the talks are useful until a Contadora Treaty is concluded.
 - b. Core Four Position on the Treaty. The new Core Four draft Treaty eliminates many of the earlier problems in the earlier draft, but weaknesses remain in the areas of arms limitations and verification. There also is a continuing problem about a draft protocol calling for "guarantor" states. The Core Four draft is vague on this, although Costa Rica claims the guarantor states will only be the Contadora countries. (See Attachment B)
 - c. Proposed US Efforts to Obtain Guatemalan Cooperation. State admits that the problem of Guatemalan cooperation with the other Core Four states is continuing, and that Mexico has had a key influence on the Guatemalan position. I am not optimistic that Guatemala can be brought in line.
 - d. Mexican and Nicaraguan Activity in the UN. State again admits that Mexico has been singularly unhelpful on the Contadora Treaty despite Secretary Shultz's personal demarche. State does not address the question of where we go from here with Mexico.

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- e. US Plans to Sign the Treaty. State claims the US is on record in opposition to signing the Contadora Treaty Protocol. I don't believe the record is all that clear, and wonder what position State will take if the Protocol remains open to non-Latin American states despite US efforts to the contrary. The Costa Rican Foreign Minister had admitted that attempts to require a narrow protocol would provoke "strong criticism of the US" and "adverse international reaction."
- 2. The bottom line that needs to be addressed is are the various Central American negotiations in our interest or are they, in fact, aiding our adversaries? If the bilateral talks with Nicaragua serve only to help the Contadora process, is this in fact working? I would venture to say, no. And if the Contadora process is likely to result in a treaty that only serves to "legitimize" the Sandinista regime, we should be planning now how to kill the treaty, not how to try and fix it. Perhaps our best hope is that Nicaragua will refuse to accept any major modifications of the 7 September draft, and thus the process will never get anywhere. We have been fooled by this before, however.
 - -- Another valid tactic would be to focus on the non-democratic nature of the Nicaraguan elections, and how they do not meet the Contadora standards. We can even try to get El Salvador and perhaps even Venezuela to refuse to endorse the Sandinista regime by letting them sign the Contadora Treaty.

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United States Department of State

Washington, D.C. 20520

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October 26, 1984

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MEMORANDUM FOR MR. ROBERT C. MCPARLANE THE WHITE HOUSE

SUBJECT: NSC Meeting on Central America,

October 30, 1984

Attached is a background paper for use at the NSC Meeting on October 30, 1984 as requested in your memorandum of October 24, 1984.

Charles Hill Executive Secretary

Attachment:

As Stated

SECRET/SENSITIVE DECL: OADR

PUBLIC DIPLOMACY ON NICARAGUAN ELECTIONS

A. Plans to provide the facts to the US public

- S/LPD has prepared a report, "Resource Book: The Sandinista Elections in Nicaragua," which documents the undemocratic nature of the election. Advance copies are already being distributed to select journalists, and on October 29 it will be released formally. Copies will be transmitted to selected members of congress who are the kely to comment on the Nicaragua elections (Senate Foreign Relations Committee, House Foreign Affairs Committee, etc.), and sent to our general mailing list of government officials and influential opinion leaders around the country.
- -- S/LPD is preparing a compilation of statements on the elections by Sandinistas themselves, key political and church leaders in Nicaragua, and notable foreign leaders. This paper, translations of Bayardo Arce's speech to the Nicaraguan Socialist Party, and the FSLN's propaganda plan for the elections will be distributed to selected members of Congress, journalists and opinion makers.
- -- ARA is preparing a report comparing the Nicaraguan elections with those in El Salvador for release to the press and selected members of Congress.
- Administration officials will give background briefings and interviews to selected members of the press and seek opportunities to appear on the media to discuss the elections.
- -- S/LPD is preparing Public Diplomacy guidance on the elections for use throughout the government.
- -- We shall encourage non-USG experts to make public statements, prepare articles, and appear on media programs, especially immediately prior to and following the November 4, elections, e.g., the morning TV shows on November 5.
- -- Following the elections, S/LPD will prepare a follow-up report on the elections analyzing how the process unfolded, the meaning of the results, and the prospects for pluralism in Nicaragua's future.

SECRET/SENSITIVE DECL: OADR

SUBJECT: Background Paper for NSC Meeting on Central America
October 30, 1984

The situation in Central America, particularly in El Salvador and in the regional peace talks, is moving in a direction favorable to U.S. interests, although difficult problems remain. In Nicaragua, the picture is mixed. Congressional failure to fund the armed opposition is a serious loss, but our handling of the Nicaragua election issue and Sandinista mistakes have shifted opinion against the sham elections. We have trumped the latest Nicaraguan/Mexican efforts to rush signature of an unsatisfactory Contadora agreement and the initiative is now with the Core Four, although the situation remains fluid and requires careful management.

This paper provides a summary assessment of issues raised in the NSC memorandum of October 24, 1985.

CENTRAL AMERICAN NEGOTIATIONS

- (1) U.S.-Nicaragua bilateral talks. Ambassador
 Shlaudeman has held six meetings with Vice Foreign Minister
 Tinoco. The seventh round is set for October 29-30. We tabled
 a comprehensive statement at the most recent meeting on
 September 25. Nicaragua's adoption of the September 7 Acta as
 its negotiating position at Manzanillo has virtually eliminated
 earlier Honduran concern that the Manzanillo talks might
 "undercut Contadora." To the contrary, it has led them to see
 that our bilateral talks strengthen the Core Four position
 within Contadora. Pursuant to Presidential decision, a key
 U.S. objective remains to help reinvigorate Core Four efforts
 in the Contadora process and to obtain a Contadora treaty which
 simultaneously implements the Contadora 21 Objectives and
 provides for effective verification. Reports and key documents
 on these talks since the NSPG meeting of June 25, 1984, include:
 - -- Memorandum for Mr. McParlane from Mr. Hill September 28, 1984
 - -- Calender of Reciprocal Steps, September 6, 1984
 - -- Memorandum for Mr. Hill from Mr. Kimmitt, August 81, 1984

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- -- Memorandum to the President from Acting Secretary Dam, August 21, 1984
- -- Memorandum from Ambassador Shlaudeman to the Secretary, August 2, 1984
- -- Memorandum from the President, July 28, 1984
- -- Memorandum from the Secretary to the President, June 26, 1984
- (2) Core Four Position on the Draft Contadora Treaty. We effectively blocked Contadora Group efforts to impose the second draft of a Revised Contadora Act. Following intensive U.S. consultations with El Salvador, Honduras and Costa Rica, the Central American submitted a counterdraft to the Contadora states on October 20, 1984. It reflects many of our concerns and shifts the focus within Contadora to a document broadly consistent with U.S. interests. A copy of the new draft is being sent to each NSC agency, with English translation expected by the October 30 meeting. We will continue to seek Core Four support for these concerns expressed by us but not incorporated in the revised Core Four drafts. A survey of proposed Core Four changes is contained in Tegucigalpa 13080 and San Jose 8392.

The four Contadora Group Vice Ministers will meet in Panama October 31-November 1 for technical review of the Core Four drafts and revision of their own. Contadora Group Foreign Ministers would then meet November 9-10 to review recommendations of the Vice Ministers and all nine foreign ministers would meet in Brasilia at the time of the OAS General Assembly November 17. Contadora spokesmen have become notably subdued recently on prospects for an early signing. While some now concede that agreement may not be reached for some months, others remains concerned that early signature is desirable.

Secretary Shultz will discuss next steps in this process at the NSC meeting.

Contadora Process. The uncertain support of Guatemala for the Core Four is a continuing problem. Guatemala's chief security concern is its guerrilla insurgency and the sanctuary that it has, until recently, enjoyed in Mexico. Mexico's removal of the border refugee camps and the need for future cooperation provide a strong incentive pulling Guatemala toward Mexico in Contadora. We have undertaken intensive efforts with Foreign Minister Andrade and Guatemalan Chief of State Mejia on this issue. Illustrative of these efforts were the Secretary's October 10 meeting in Panama with General Mejia (Secto 12025), the Secretary's meeting with Andrade and other Core Four

- 3 - 1

foreign ministers in New York on October 5 (State 298926) and President Duarte's efforts with General Mejia (San Salvador 11393 and Guatemala 10043). Serious personality problems between Honduran Foreign Minister Paz Barnica and Andrade continue to hamper efforts to keep the Core Four together. We will continue to exert strong pressure on Guatemala to support the basic Core Four position.

- Mexican and Nicaraguan Activity at the UN, OAS et al.

 Mexican and Nicaraguan representatives have been highly active
 but so far unsuccessful in efforts to obtain international
 endorsement for the September 7 Contadora draft. The Secret
 ary
 was direct in expressing our displeasure at Mexican conduct
 the UNGA (State 302056). Reports and actions relating to
 recent Nicaraguan/Mexian activity at the United Nations are
 contained in USUN 2845, 2763, 2884, and State 315605, 31589
 317226, 317605 and 317809. A summary report of the
 EC-Contadora Foreign Ministers conference is contained in San
 Jose 7644.
- (5) U.S. Efforts to Help the Core Four. Covered under item (2) above. The following cables describe several aspects of recent U.S. efforts to help the Core Four countries secure acceptance of an acceptable draft: San Salvador 12140, Tegucigalpa 12799 and San Jose 8244.
- requirement is unclear but presumably refers to the unauthorized backgrounding in Washington during the Secretary's last trip to the region that an agreement would be signed with Nicaragua in Mexico. That backgrounding was erroneous and unhelpful to U.S. interests. The Administration is on recoin opposition to signing a Protocol, both in principal and specifically in the case of Contadora. We have attempted to prevent adoption of a Protocol that would be open to Cuban, Soviet or other unwelcome signatories. However, this continues to be an important concern.
- (7) U.S. Expectations of Future Events and Strategy to Obtain an Acceptable Treaty. Secretary Shultz will address this question in his presentation to the NSC meeting.

PUBLIC DIPLOMACY ABOUT THE NOVEMBER 4, 1984 ELECTION IN NICARAGUA

We have succeeded in returning the public and private, diplomatic focus back on the Nicaraguan elections as the key stumbling block to prospects for national reconciliation and peace in the region. The breakdown of the Cruz negotiations in Rio, corroboration by SI members that Arce backed away from the PSLN position once it became apparent that Cruz was prepared to seek approval of the Arce proposal, and the public acceptance

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by the Coordinadora of the Arce proposal have all contributed to this turn of events, as has Duarte's La Palma initiative. The PLI withdrawal from the elections has now left the Sandinistas holding a near worthless hand. An election held on November 4 will not give them the legitimacy they covet, although it will further consolidate Sandinista control over Nicargua. Efforts continue to press the Sandinistas to postpone the elections and agree to Coordinadora demands.

Our public diplomacy strategy, approved by the NSC, is contained in Mr. Kimmitt's memorandum to Mr. Hill, dated October 24, 1984. A follow-up memorandum on the Nicaragua elections is attached.

Attachment: As stated.

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- B. Plans to Provide the Facts to the International Community
- In selected OECD and ARA posts we will approach significant and knowledgeable national leaders, in and out of government, to encourage public statements condemning the Nicaraguan elections as they are now set up. Useful statements could come from government officials, political party leaders (including international parties, such as SI, EDU), intellectuals, church, and labor leaders.
- -- We will encourage selected U.S. political figures to contact their counterparts in Europe and Latin America asking that they (the counterparts) make public statements criticizing Nicaraguan elections.
- -- U.S. labor will contact counterpart organizations in Europe and Latin America seeking statements criticizing elections in Nicaragua as now set up.
- -- We will encourage sympathetic American intellectuals and academics to contact their counterparts in Europe and Latin America to examine the validity of the elections in Nicaragua, or to get their counterparts to let Nicaraguan leadership know (preferably through public statements or letters) that they are skeptical of the elections as now set up, that they have serious doubts about the elections now that the Coordinadora and PLI have withdrawn, and that they will be watching the elections closely both before and after November 4.
- -- We will follow up with the Vatican the recent statement condemning persecution of the Church in Nicaragua.
- -- Selected embassies in OECD and ARA countries will be asked to approach key contacts to review our views on the elections in Nicaragua. Media contacts should be encouraged to write editorials questioning the validity of the elections.
- -- Embassy Bonn will approach Willy Brandt to determine if he plans to make any public statements on the Nicaraguan elections now that the PLI has withdrawn from the campaign.
- -- USIA will send a fact sheet on Nicaraguan elections via the Wireless File to Europe and Latin America.
- -- VOA and Wireless File commentary will be sent using statements questioning the validity of the Nicaraguan elections made by European and Latin American leaders.
- -- VOA and Wireless File commentary will carry S/LPD prepared backgrounder on Sandinista elections.

Sanitized Copy Approved for Release 2011/03/15 : CIA-RDP86B00420R000100220005-2 SECRET/SENSITIVE -3-Wireless File will distribute Comandante Bayardo Arce's speech to the policy committee of the Partido Socialista de Nicaragua and other relevant material prepared by S/LPD. 0259A SECRET/SENSITIVE

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EXDIS PANAMA FOR AMBASSADOR SHLAUDEMAN

E.O. 12356 DECL: DADR
TAGS: PREL XX
SUBJECT CONTADORA: REACTIONS TO OCTOBER 10-20 ACTA
REVISIONS

REF: TEGUCIGÄLPA 13080 (DTG 230140Z DCT 84)

- 1. SECRET ENTIRE TEXT.
- 2. EMBASSY TEGUCIGALPA IS REQUESTED TO CONVEY DEPARTMENT'S PRELIMINARY REACTIONS TO MODIFICATIONS IN ACTA TEXT REPORTED REFTEL. REACTIONS SHOULD BE COMMUNICATED IN TIME TO PERMIT THEIR CONSIDERATION BY HONDURAS BEFORE IT PROVIDES FINAL "COLLATED" REVISION OF ACTA TO CONTADORA AMBASSADORS. EMBASSY SHOULD DRAW ON FOLLOWING TALKING POINTS.
- 3. BEGIN TALKING POINTS.
- -- USG GREATLY APPRECIATES YOUR READINESS TO SHARE THE RESULTS OF YOUR OCTOBER 19-20 MEETING WITH US. WE HOPE YOU AND OTHER DRAFTERS WILL SIMILARLY BE WILLING TO DISCUSS WITH US THE ANNEXES AND "ALTERNATIVE" PROTOCOL

WHICH ARE STILL BEING PREPARED AND THE FINAL PRODUCT OF YOUR DRAFTING EFFORTS BEFORE THEY ARE PASSED TO THE CONTADORA COUNTRIES.

- -- WE ARE VERY FAVORABLY IMPRESSED WITH WHAT YOU HAVE DONE AND THAT YOU DECIDED TO PUT FORWARD A FULLY REVISED DRAFT. WHILE THE FULL TEXT IS OBVIOUSLY NOT AVAILABLE TO US. ON THE BASIS OF YOUR DESCRIPTION WE HAD SEVERAL REACTIONS:
- -- PERHAPS MOST IMPORTANT, WE URGE THAT YOU MAKE UNMISTAKABLY CLEAR TO NICARAGUA AND THE CONTADORA COUNTRIES AND OTHERS THAT IT IS ESSENTIAL THAT THE 90 DAYS OF NEGOTIATIONS ON ARMS AND TROOP CEILINGS BE COMPLETED SUCCESSFULLY AND ON TIME. IN LIGHT OF THE RISK THAT DEMOCRATIC GOVERNMENTS WILL BE EXPECTED TO FULLY IMPLEMENT THE ACTA ON SIGNATURE, WE BELIEVE IT IS CRUCIAL THAT IT BE PERFECTLY UNDERSTOOD FROM THE BEGINNING THAT ACCEPTANCE OF THE ACTA OBLIGATIONS WILL ONLY TAKE PLACE WHEN RATIFICATION HAS OCCURRED. YOU SHOULD ALSO MAKE

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CLEAR ON THE PUBLIC RECORD THAT YOU DO NOT INTEND TO BE PRESSURED INTO ACCEPTING ANY NICARAGUAN PROPOSAL THAT IS NOT BALANCED.

- -- WE ARE CONCERNED THAT REQUIRING THAT THE AD HOC VERIFICATION GROUP CONDUCT TECHNICAL STUDIES ON CEILINGS MAY PROVIDE A CONVENIENT SCAPEGOAT WHICH CAN BE BLAMED FOR CONTADORA'S FAILURE IF, AS SEEMS LIKELY, THE NINE MEMBERS OF THAT GROUP ARE UNABLE TO REACH CONSENSUS ON THOSE STUDIES. COMPLETION OF SUCH STUDIES SHOULD NOT BE A PREREQUISITE TO COMPLETION OF THE NEGOTIATIONS.
- -- WE WERE SURPRISED THAT THE 60-DAY FREEZE REMAINED IN YOUR REVISED DRAFT, PARTICULARLY SINCE FROM OUR REPORTS IT APPEARS THAT THERE IS NO PROVISION FOR VERIFICATION OF THE INVENTORIES. IF YOU FEEL THIS MUST REMAIN, WE URGE THAT YOU UNDERSCORE TO NICARAGUA AND THE CONTADORA COUNTRIES THAT YOU DO NOT INTEND TO CONTINUE WITH THE FREEZE BEYOND 60 DAYS. WE URGE THAT ANY FREEZE BE LIMITED TO THE WEAPONS TO BE SUBJECT TO CEILINGS AND THAT INVENTORY ITEMS MAY BE SUBJECT TO CHALLENGE IF NO VERIFICATION IS ENVISIONED.
- -- THE DISPUTE RESOLUTION PROVISIONS SOUND AS IF THE POTENTIAL FOR DELAYS AND LENGTHY APPEALS REMAINS -- WITH THE RESULT THAT AGGRIEVED PARTIES (AS WELL AS THEIR FRIENDS OUTSIDE THE REGION) WILL FACE CONSTRAINTS IN TAKING PROMPT AND NECESSARY ACTION TO VINDICATE THEIR RIGHTS AND RESPOND TO VIOLATIONS. HAVE YOU INCLUDED A

SPECIFIC RESERVATION OF YOUR RIGHT TO TAKE NECESSARY AND PROPORTIONATE ACTION, CONSISTENT WITH INTERNATIONAL LAW, AT ANY TIME?

- -- WE CONTINUE TO HAVE DOUBTS ABOUT LIMITING THE TECHNICAL GROUP PERSONNEL TO THOSE OF THE FOUR NON-PARTY MEMBERS OF THE SECURITY AND VERIFICATION COMMISSION. THOSE PARTIES WILL HAVE INDEPENDENT POLITICAL INTERESTS WHICH MAY CONTRADICT THE GOAL OF NEUTRAL VERIFICATION. MOREOVER, IT UNNECESSARILY LIMITS THE POOL OF EXPERTISE FROM WHICH THE VERIFYING BODY CAN DRAW. FINALLY, WE FEAR SOME COUNTRIES MAY BE PREPARED TO PLAY ONLY ONE OF THE TWO ROLES AT A TIME.
- -- WHILE WE BELIEVE "CONSENSUS" MAY BE MARGINALLY BETTER FOR COMMISSION DECISIONS THAN "UNANIMITY," FAR MORE WORKABLE WOULD BE A PROVISION FOR "MAJORITY" VOTES.
- -- FROM OUR REPORTS, IT APPEARS THAT THE TECHNICAL GROUP CAN RECEIVE ONLY "EQUIPMENT" -- BUT NOT FUNDS AND OTHER SUPPORT -- FROM OTHER COUNTRIES. IF THIS IS THE CASE WE WOULD STRONGLY URGE THAT PROVISION BE MADE FOR RECEIVING AT LEAST FINANCIAL CONTRIBUTIONS FROM OTHER SOURCES.
- -- WE ARE PLEASED THAT YOU HAVE DRAWN A SHARP LINE RETWEEN THE COMMISSION AND THE TECHNICAL VERIFICATION GROUP. HOWEVER, IT APPEARS THAT THE TECHNICAL GROUP WILL BE ASKED TO REPORT ON "APPARENT VIOLATIONS" -- WHICH IS A POLITICIZED, ADJUDICATORY FUNCTION WE CONSIDER BOTH UNWISE AND UNNECESSARY FOR THE VERIFIERS TO PERFORM. WOULD IT NOT BE SETTER TO HAVE THEM REPORT ONLY ON "FACTS AND SITUATIONS WHICH MAY BEAR ON COMPLIANCE WITH THE
- -- WE ASSUME THAT THE ANNEXES WILL CONTAIN EXTENSIVE PROVISIONS RELATING TO THE POWERS, RIGHTS, PRIVILEGES AND IMMUNITIES OF THE SECURITY AND POLITICAL VERIFICATION GROUPS. THESE ARE ESSENTIAL TO VERIFICATION AND WE SUGGEST THAT THEY BE STATED IN GENERAL TERMS IN THE BODY

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OF THE ACTA ITSELF TO UNDERSCORE THEIR IMPORTANCE.

-- IS IT YOUR INTENTION TO FORMALLY SUGGEST THE NAMES OF THE COUNTRIES AND INDIVIDUALS TO PARTICIPATE ON THE AD HOC AND PERMANENT COMMISSIONS TO BE ESTABLISHED IN THE ACTA PRIOR TO SIGNATURE? WE BELIEVE SO DOING WOULD BE USEFUL IN ADDING CREDIBILITY AND CONCRETENESS TO THE NEGOTIATIONS PRIOR TO SIGNATURE. AND IF THE NAMES WERE WELL CHOSEN WOULD ASSIST IN ENSURING THAT THE FINAL RESULT IS ACCEPTABLE.

-- IT IS CLEAR TO US THAT A PRINCIPAL PURPOSE OF THE PROHIBITION ON FOREIGN BASES AND SCHOOLS IN THE SEPT. 7 DRAFT ACTA WAS TO ENSURE THE ELIMINATION OF THE U.S. PRESENCE AT PALMEROLA AND THE RMTC. IN THIS LIGHT, WE WOULD BE RELUCTANT TO RELY ON A CONTROVERSIAL READING OF THE DEFINITION OF "FOREIGN BASE" TO AUTHORIZE A CONTINUED U.S. PRESENCE. IF THE CURRENT DEFINITION IS NONETHELESS RETAINED, WE URGE THAT HONDURAS STATE ITS UNDERSTANDING ON THIS POINT IN VERY CLEAR TERMS AT OR BEFORE THE TIME OF SIGNING.

-- IT WAS NOT CLEAR FROM OUR REPORTS THAT THE DISTINCTION IN THE SEPTEMBER 7 DRAFT BETWEEN CLASSES OF ADVISERS HAS BEEN REMOVED IN THE OCTOBER 20 REVISED TEXT. OR THAT APPROPRIATE PROVISIONS HAVE BEEN MADE FOR PORT VISITS. OVERFLIGHTS AND OTHER KINDS OF ROUTINE ACCESS.

-- FINALLY, WE ARE PLEASED THAT YOU SHARED OUR PREFERENCE THAT THE ADDITIONAL PROTOCOL BE DELETED. WE ARE SOMEWHAT UNCERTAIN THAT THE TERM "GUARANTORS" IMPLIES THAT THE COUNTRIES INVOLVED WILL HAVE A FUNCTION IN THE ACTA STRUCTURE -- EITHER IN INTERPRETING, IN APPLICATION, OR IN DISPUTE RESOLUTION. WE FEAR THAT, EVEN IF SUCH A ROLE IS DESIRED, IT WILL ADD YET FURTHER TO THE DELAYS AND CONSTRAINTS WE SEE IN THE OTHER DISPUTE RESOLUTION PROCEDURES CONTAINED IN THE ACTA. WE WOULD HOPE TO CONSULT VERY CLOSELY ON THE DEVELOPMENT OF THIS PROPOSAL, AND WILL BE CONTACTING THE COSTA RICANS TO THAT END. END

4. FOR SAN JOSE: EMBASSY REQUESTED TO CONTACT VICE MINISTER ANTILLON TO DETERMINE STATE OF PLAY ON "GUARANTORS" IDEA DISCUSSED PARA 23 REFTEL, NOTE CONCERNS STATED IN FINAL TALKING POINT AND ASK THAT WE HAVE AN OPPORTUNITY TO CONSULT WITH GOCR ON THIS MATTER BEFORE ANY DOCUMENT IS PROVIDED TO THE CONTADORA COUNTRIES. SHULTZ

END OF MESSAGE



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PANAMA FOR AMBASSADOR SHLAUDEMAN

E.O. 12356: DECL: DADR

TAGS: PREL XK, CS will be because the second of the second

SUBU: CONTADORA: COSTA RICAN DRAFT OF REVISED PROTOCOL

REF: STATE 315249

1. (S-ENTIRE TEXT)

- SUMMARY: FOREIGN MINISTER SHARED COSTA RICAN DRAFT OF REVISED PROTOCOL WITH EMBASSY. INITIAL DRAFT, WHICH WILL NOW BE CONSULTED WITH OTHER CORE FOUR, PROVIDES FOR CONTADORA FOUR COUNTRIES SERVING AS "GUARANTORS" OF FINAL CONTADORA AGREEMENT. APPEARS COSTA RICANS HAVE CUT PROTOCOL BACK TO WHAT THEY VIEW AS MINIMUM POLITICALLY ACCEPTABLE DOCUMENT. MINISTER DOES NOT EXPECT ACTA TO BE READY FOR SIGNATURE UNTIL LATE NOVEMBER. END SUMMARY.
- THIS MORNING (OCTOBER 24) AMBASSADOR ACCOMPANIED BY POLOFF DISCUSSED WITH FOREIGN MINISTER CARLOS JOSE GUTIERREZ REVISION BY CORE FOUR OF PROTOCOL FOR CONTADORA ACTA. GUTIERREZ CONFIRMED THAT COSTA RICA HAD UNDER-TAKEN TO DRAFT NEW PROTOCOL WHICH WOULD PROVIDE FOR "GUARANTORS" OF THE FINAL TREATY. AS AMBASSADOR PROBED ON HOW EXACTLY THIS FUNCTION WOULD BE DEFINED, MINISTER OFFERED US COPY OF THE INITIAL DRAFT WHICH HE HAD JUST RECEIVED AND WOULD BE TRANSMITTED TO OTHER CORE FOUR GOVERNMENTS LATER THAT DAY (TEXT PROVIDED BELOW) GUTIERREZ NOTED THAT IN DRAFTING THIS DOCUMENT, FORMIN DIRECTOR GENERAL ALVAR ANTILLON HAD DRAWN ON THE CHACO AGREEMENT AND THE ECUADOR/PERU BORDER AGREEMENT.
- GUTIERREZ DEFUSED SOME OF OUR OTHER CONCERNS WHEN HE CLARIFIED THAT COSTA RICAN REVISED DRAFT LIMITS PARTICIPATION OF GUARANTORS TO THE CONTADORA FOUR COUNTRIES ONLY. VENEZUELA, COLOMBIA, PANAMA AND MEXICO WOULD BE ONLY GOVERNMENTS INVITED TO SIGN THIS "PROTOCOL." THE MINISTER EMPHASIZED THAT DRAFT HE WAS SHARING WITH US WAS FIRST CUT AT THE IDEA, AND WOULD BE SUBJECT OF FURTHER CONSULTATION WITH CORE

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FOUR. HE WAS UNCLEAR WHEN THIS PROCESS WOULD BE COM-PLETED AND FINAL AGREED TEXT CONVEYED TO CONTADORA FOUR AS PROMISED IN NOTE COVERING CORE FOUR'S REVISED ACTA. GUTIERREZ SAID THAT IN ANY EVENT SIGNING OF FINAL ACTA WAS UNLIKELY BEFORE END OF NOVEMBER.

- 5. GUTIERREZ WAS SOMEWHAT CONCERNED THAT PULLING BACK FROM THE ORIGINAL CONCEPT OF A BROADER PROTOCOL WOULD PROVOKE ADVERSE INTERNATIONAL REACTION. HE NOTED THAT THIS COULD COALESCE INTO STRONG CRITICISM OF U.S. MINISTER RECALLED THAT AT EC CONFERENCE IN SAN JOSE, MANY EUROPEAN FOREIGN MINISTERS HAD VOLUNTEERED THEIR GOVERNMENTS' WILLINGNESS TO SIGN THE CONTADORA PROTOCOL AS IT STANDS IN THE ACTA.
- 6. FOLLOWING IS INFORMAL TRANSLATION OF THE DRAFT:

BEGIN TEXT

-- ADDITIONAL PROTOCOL TO THE ACT OF CONTADORA
-- FOR PEACE AND COOPERATION IN CENTRAL AMERICA

THE UNDERSIGNED PLENIPOTENCIARIES, PROVIDED WITH FULL POWERS BY THEIR RESPECTIVE GOVERNMENTS:

CONVINCED THAT IT IS NECESSARY TO GUARANTEE THE FULL OPERATION, EFFECTIVENESS AND VIABILITY OF THE ACT OF CONTADORA FOR PEACE AND COOPERATION IN CENTRAL AMERICA ADOPTED BY THE STATES OF SAID REGION, AS WELL AS TO LEND THE CENTRAL AMERICAN STATES THE MOST EFFICIENT COLLABORATION BY THE SIGNATORY STATES OF THE PRESENT PROTOCOL IN GUARANTEEING PEACE IN THE REGION,

HAVE AGREED TO THE FOLLOWING:

- 1. TO COOPERATE WITH THE CENTRAL AMERICAN STATES IN THE DEGREE TO WHICH SAID STATES, IN COMMON AGREEMENT, REQUEST (SUCH COOPERATION) FOR THE ATTAINMENT OF THE OBJECTIVES AND ENDS OF THE ACT.
- 2. TO LEND THEIR FULL SUPPORT AND COLLABORATION TO THE COMMISSION OF VERIFICATION AND CONTROL IN THE AREA OF SECURITY IN CARRYING OUT ITS FUNCTION WHEN SO REQUIRED

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PANAMA FOR AMBASSADOR SHLAUDEMAN

E.O. 12356: DECL: OADR TAGS: PREL, XK, CS

SUBJ: CONTADORA: COSTA RICAN DRAFT OF REVISED PROTOCOL

BY THE PARTIES.

- 3. THE ACT SHALL BE UNDER THE GUARANTEE OF THE STATES SIGNING THE PRESENT PROTOCOL, AND IN THE EVENT OF DOUBT OR DISAGREEMENT CONCERNING THE EXECUTION OF THE ACT, THEY SHALL LEND FULL COLLABORATION EMPLOYING ALL THE USUAL PACIFIC MEASURES OF INTERNATIONAL LAW, SUCH AS DIPLOMATIC PERSUASION, CONCILIATION, GOOD OFFICES AND MEDIATION, IN THE SHORTEST PERIOD OF TIME POSSIBLE.
- 4. WHEN NECESSARY, THE DETAILS RELATIVE TO ARTICLES 1 AND 2 OF THE PRESENT PROTOCOL SHALL BE PRECISELY STATED BY DIPLOMATIC NOTE.
- 5. THIS PROTOCOL WILL ENTER INTO FORCE FOR EACH SIGNATORY STATE ON THE DATE SIGNED BY EACH ONE OF THEM.

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6. THIS PROTOCOL WILL BE DEPOSITED WITH THE GOVERNMENTS OF THE STATES WHICH COMPOSE THE CONTADORA GROUP.

7. THIS PROTOCOL DOES NOT PERMIT RESERVATIONS.

8. THIS PROTOCOL WILL BE REGISTERED WITH THE SECRETARY GENERAL OF THE UNITED NATIONS IN CONFORMITY WITH ARTICLE 102 OF THE CHARTER OF THAT ORGANIZATION.

DONE IN THE SPANISH LANGUAGE IN FOUR ORIGINAL COPIES IN , THE , 1984. THE CITY OF OF

FOR THE GOVERNMENT OF COLOMBIA

FOR THE GOVERNMENT OF

MEXICO

FOR THE GOVERNMENT OF **VENEZUELA**

FOR THE GOVERNMENT OF

PANAMA

END TEXT

COMMENT: APPEARS CORE FOUR HAVE TAKEN ON BOARD MANY OF OUR CONCERNS ABOUT THE PROTOCOL, BUT DO NOT THINK THEY CAN GET AWAY WITH DROPPING THE CONCEPT ENTIRELY. COSTA RICANS ARE PROPOSING DRAFT WHICH THEY SEE AS BARE MINIMUM ACCEPTABLE. GUTIERREZ OBVIOUSLY HAS HIS DOUBTS AS TO WHETHER THIS WILL FLY, AND IS ANTICIPATING STIFF RESISTANCE. WRAPPING THEMSELVES IN CONTADORA AND ELEVATING THE FOUR TO THE STATUS OF "GUARANTORS" MAY NOT BE SUCH A BAD TACTIC FOR HEADING OFF A WIDE OPEN PROTOCOL WITH POSSIBLE CUBAN (AT A MINIMUM, IF LIMITED TO THIS HEMISPHERE) OR EVEN SOVIET PARTICIPATION. THE DOWNSIDE, OF COURSE, IS ASSIGNING TO THE CONTADORA FOUR A SUPERVISORY ROLE IN CENTRAL AMERICA WHICH IT IS UNCERTAIN THEY COULD ADEQUATELY FULFILL OVER THE LONG TERM. WINSOR END OF MESSAGE SECRET